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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:14-cr-232-GMN-NJK
)	
Plaintiff,)	
)	
v.)	
)	
FREDERICK JOHN RIZZOLO,)	
)	
Defendant.)	
_____)	

STIPULATION FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Richard E. Tanasi, Esq. and Sigal Chattah, Esq., counsel for Defendant FREDERICK JOHN RIZZOLO, that the date for the Government to file a response to the Defendant's Motion to Dismiss (Docket #45) be extended for thirty (30) days.

This stipulation is entered for the following reasons:

1. The Defendant's Motion was filed and served on December 1, 2015. Pursuant to a stipulation between the parties, the Government's response deadline is April 18, 2016.

2. Since the filing of the previous stipulation, the Government has extended a written plea agreement to the Defendant in an attempt to negotiate this case, which would obviate the need for the Government to file a response. The Defendant subsequently extended a

1 counter-offer. The parties are requesting additional time to continue good faith negotiations.
2 The trial in this matter is set for August 8, 2016. Consequently, an extension of the
3 Government's response deadline is not likely to affect the present trial setting.

4 3. Undersigned counsel for the Government will be in trial in the matter of *United*
5 *States v. Dominique Wells*, 2:14-cr-280-JCM-CWH, commencing on April 18, 2016. Said trial is
6 expected to last a full week.

7 4. The Defendant is not incarcerated, and he does not object to the continuance of
8 the Government's response deadline.

9 5. The additional time requested herein is not sought for purposes of delay, but
10 merely to allow the parties to have adequate time to attempt to negotiate the case.

11 6. Additionally, denial of this request for continuance could result in a miscarriage
12 of justice.

13 7. This is the fifth stipulation filed herein to continue the Government's response
14 deadline.

15 DATED: April 16, 2016.

16
17 /s/
18 PHILLIP N. SMITH, JR.
19 Assistant United States Attorney
20 Counsel for the United States

21 /s/
22 RICHARD E. TANASI, ESQ.
23 SIGAL CHATTAH, ESQ.
24 Counsel for Defendant FREDERICK RIZZOLO
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Plaintiff,)
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v.)
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FREDERICK JOHN RIZZOLO,)
)
Defendant.)
_____)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Defendant's Motion was filed and served on December 1, 2015. Pursuant to a stipulation between the parties, the Government's response deadline is April 18, 2016.

2. Since the filing of the previous stipulation, the Government has extended a written plea agreement to the Defendant in an attempt to negotiate this case, which would obviate the need for the Government to file a response. The Defendant subsequently extended a counter-offer. The parties are requesting additional time to continue good faith negotiations. The trial in this matter is set for August 8, 2016. Consequently, an extension of the Government's response deadline is not likely to affect the present trial setting.

3. Undersigned counsel for the Government will be in trial in the matter of *United States v. Dominique Wells*, 2:14-cr-280-JCM-CWH, commencing on April 18, 2016. Said trial is expected to last a full week.

4. The Defendant is not incarcerated, and he does not object to the continuance of the Government's response deadline.

